

Personnel

Suspensions

The Superintendent, or any Central Office Administrator the Superintendent designates, shall have the authority to suspend an employee from his/her position with or without pay when, in the judgment of the Superintendent, or the Superintendent's designee: (1) during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the School District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the School District, or (3) pending dismissal. Misconduct that is detrimental to the School District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor;
- Violation of Board policy or Administrative Procedure;
- Conduct that disrupts or may disrupt the educational program or process;
- Conduct that violates any State or federal law that relates to the employee's duties; and
- Other sufficient causes.

A Central Office Administrator acting as the Superintendent's designee must obtain authority directly from the Superintendent or Assistant Superintendent for Human Resources prior to suspending an employee. In the event a Central Office Administrator, after making a good-faith attempt to secure direct authorization from the Superintendent or Assistant Superintendent for Human Resources to suspend an employee, cannot contact the Superintendent or Assistant Superintendent for Human Resources, the Central Office Administration may then secure authorization to suspend an employee from the following Administrators, in the order listed below:

1. Assistant Superintendent for Curriculum and Instruction
2. Assistant Superintendent for Business Services

Employees classified as "exempt" under the federal *Fair Labor Standards Act* or the State *Minimum Wage Law*, as amended, may be suspended without pay pending dismissal, or as a disciplinary consequence, so long as the suspension does not cause the employee to lose his or her "exempt" status.

Prior to a suspension, the Superintendent or Central Office Administrator acting as the Superintendent's designee shall meet with the employee to present the allegations, and give the employee an opportunity to refute the allegations.

A written notice stating the reason or reasons for the suspension, the duration of the suspension, and the conditions for reinstatement shall be given to the employee.

If an employee is suspended with pay pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, the employee must repay to the District all compensation and the value of all benefits received by him

or her during the suspension. The employee will be notified of this requirement at the time that the employee is suspended.

The employee shall have the right to appeal any suspension to the full Board. Said appeal shall be filed with the Superintendent within seventy-two hours of the giving of the written notice of suspension. Said appeal shall not stay the effect of the suspension. In the event the Board does not sustain the suspension, the employee shall not sustain any loss of wages and all references thereto shall be expunged from the employee's file.

Legal Reference: 105 ILCS 5/10-20.5

Approved: